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# DESERET EVENING NEWS.

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TRUTH AND LIBERTY.

10 PAGES—LAST EDITION

THURSDAY, MARCH 10, 1904. SALT LAKE CITY, UTAH.

FIFTY-FOURTH YEAR.

## E. B. Critchlow Will Tell All He Knows About Utah Affairs

### INTERREGNUM IN SMOOT HEARING.

Will Doubtless be One So Soon as Witnesses in Washington Get Through.

### ANDREW JENSON ON STAND.

Testified Regarding Church Organization and Prosecutions for Polygamy.

### NAMES OF THE STAKE PRESIDENTS

He Undertakes to Furnish Them and a List of the Bishops of the Church to the Committee.

(Special to the "News.")

Washington, D. C., March 10.—After this week there will probably be an interregnum in the Smoot hearing for several days. There are but two witnesses in the city who have been summoned to testify. E. B. Critchlow was called as soon as the committee was organized today, but Mr. Worthington said he desired to submit a question to Mr. Jensen, and that one question developed a hundred more which led to further testimony as to the organization of the church and its powers, and of each official from Deacons to the President of the Church. Subsequently Mr. Jensen was questioned as to prosecutions and punishments in Utah for polygamy. The result of the questioning was to postpone the testimony of Critchlow until the afternoon session. It is expected that he will continue on the witness stand throughout tomorrow.

A bright afternoon brought out a big crowd to the Smoot hearing. In all about 35 or 40 persons, besides members of the committee, crowded into the room. This number included 15 or 20 newspaper men and artists, official reporters, Senator Smoot, counsel on both sides and witnesses. Among the 30 were no less than 32 women, ranging in age from the dower of 70 to the school miss of 14. The few members of Congress not members of the committee, who have appeared from time to time, are outspoken in criticizing the committee for permitting children, boys and girls, to enter the room. At this writing, 3 o'clock p. m., there are in the corridor trying to force the entrance through the crowd at the door, men and women, apparently respectable, with children at their sides five or six years old, and the Capitol officials make no attempt to keep them back.

MR. CRITCHLOW TESTIFIES.

Mr. Critchlow, who is on the stand, is telling the committee all he knows and a great deal of what he thinks of the prevalence of polygamy in Utah. He will probably continue his testimony throughout tomorrow.

### ANDREW JENSEN TESTIFIES.

Recalled and Told About Organization of the Church.

Washington, March 10.—Andrew Jensen, assistant historian of the "Mormon" Church, was recalled as the first witness today in the Senator Reed Smoot case before the senate committee on privileges and elections. He said on cross-examination that there were a number of typographical errors and misstatements in the biographies of the Latter-day Saints and that he got a great deal of the information for the volume from other publications. Chairman Burrows asked the witness to furnish a list of the presidents of the 33 stakes and he agreed to do so as soon as he could prepare it. The chairman indicated that he also would seek a list of the bishops of the 700 wards. This is for the purpose of bringing additional witnesses to Washington.

Mr. Worthington for the defense, announced that the opposing counsel had agreed upon a statement of fact in regard to the testimony in the Teasdale divorce case and would present it in an executive session of the committee. Mr. Jensen gave an elaborate explanation of the machinery of the Church, the distribution of its authority among apostles, presidents of stakes and bishops.

### NON-MORMON COUNTIES.

Mr. Jensen said that aside from Salt Lake City, Weber and Summit counties, the Mormons were not to be found in all the counties of Utah. Senator Dubois asked the witness in regard to being a polygamist. He was formerly in charge of missions in Japan and was now in England in charge of the English mission. In reply to questions from Grant he was reported to be a polygamist. It was understood that President Smith was not of missions in Japan, that Grant took a wife to Japan and a wife to England, but he could not say whether the wife Grant took to the Orient was the same one who was now in England.

Mr. Worthington asked Mr. Jensen if he meant by the term "reputed to be a polygamist" that a man has more than one wife or lives with more than one woman. He said he wanted the former as that was a statement which the committee allows to be unchallenged.

In regard to punishments for breaking the rules of the Church Mr. Jensen said that, inasmuch as the president is not excommunicated, he is amenable to the discipline of the church, and that other officials do not "considered local affairs," and the bishops of wards have charge of the conduct of all local affairs.

Chairman Burrows said President

Smith had testified that he had violated the laws since 1890 and he asked of Mr. Jensen "Do you know whether Mr. Smith has ever been interfered with for breaking the laws?"

"I think he was not,"

"Do you know of any non-Mormons who have been prosecuted since 1890?"

"I don't know that any non-Mormons are living in Utah with more than one wife, openly."

He said further that he knew of the prosecution of one "Mormon"—the case of Lorin Harmer who testified yesterday in regard to his arrest and conviction for adultery. Mr. Jensen said in answer to questions from Senator Hoar that he had never known of a prosecution of a polygamist who continued to cohabit with plural wives he had married prior to the manifesto of 1890. He said that if "Mormons" should turn informers against a polygamist under such conditions, against President Smith for instance, such "Mormon" informers would be odious in the sight of most members of the Church.

Senator Dubois referred to the prosecution of Heber J. Grant and the witness said he had heard of no such cases. Mr. Jensen said it is only the high officers of the Church who are supposed to devote all of their time to the Church who are under obligations to get the consent of their brother officers when they desire to engage in some other business or enter politics.

### AN EXECUTIVE SESSION.

At 11:45 the committee went into executive session and at its close took a recess until this afternoon.

At the executive session of the committee, certain proceedings from the divorce case of Apostle Teasdale were put into the records as evidence. The admissions made in that case were referred by the prosecution to combat the testimony of President Joseph F. Smith that Teasdale was married to Lillian Scholes for eternity only and that she was not considered as Teasdale's wife when he contracted the marriage.

### AUGUSTUS HEINZE WINS THE FIRST ROUND.

Arraigned Before Judge Knowles Who Declined to Pass on Question of Violating the Beatty Order.

Butte, Mont., March 10.—F. Augustus Heinze, president of the Montana Ore Purchasing company, Supt. Terrell, of the Rarus mine, and Supt. Frank of the Johnstown, Heinze properties, were arraigned in the federal court before Judge Knowles this morning on the charge of having refused admittance to federal inspectors sent to the Rarus mine yesterday to learn whether, as is charged by the Butte and Boston company, the Heinze miners are stealing ore from the Michael Devitt mine.

Judge McHatten, for Heinze, claimed that the defendants had not violated the order of inspection, in that the portion of the Rarus the inspectors sought to enter was not included in the order of inspection. Atty. Forbis, for the Boston and Montana, claimed that the defendants have violated the order of inspection, and that therefore they should be held under the order recently made by Judge Beatty sitting here for Judge Knowles, who ordered the Rarus thrown open for inspection and imposed conditional fines on Heinze, Frank and Terrell for interfering with the inspectors.

After hearing the pleas, Judge Knowles decided that the order of inspection covered every part of the Rarus, but that the inspectors actually entered the mine for the purpose of the purpose of their appointment. He declined to pass on the charge that the conditional fines must now be paid, saying he would let that to be passed on by Judge Beatty himself who will be called here for that purpose. Meanwhile Heinze, Frank and Terrell, are under technical arrest but paroled.

### BURNED TO DEATH.

Four Railroad Men in a Box Car Containing Gasoline.

Harrisburg, Pa., March 10.—Four railroad laborers were burned to death in a box car containing gasoline which caught fire in the midst of this city today. Two others barely escaped with their lives, being badly burned. The cars carried 26 men and contained five barrels of gasoline and lighting material for night work. Most of the men were asleep when one of them struck a match to light his pipe. In an instant the interior of the car was a fiery furnace. There was a scramble to get out, but four were unsuccessful.

### YNCHING MOB FOILED.

Sheriff and His Deputy Trained Their Guns on Them.

Murphysboro, Ill., March 10.—A mob of 75 men from Cambridge made an attempt at 4 o'clock this morning to take Thomas Vaughn, a negro, from the county jail here, intending to lynch him. Sheriff Thorp had been apprised of their coming and he and Deputy Woodruff lay in wait. When the mob reached the jail the officers trained their riot guns on it. The mob quickly dispersed but not until three of its members had been captured. Deputy Woodruff's gun was discharged prematurely, tearing his arm so that amputation was necessary. Vaughn is charged with criminal assault on a Cambridge school teacher a month ago. She is in a serious condition. There is no further excitement here.

### No Trains Reach KallsPELL.

Helena, Mont., March 10.—No trains have reached KallsPELL for two days because of snowslides at Nyack and Paola. Great Northern trains are being moved via Helena and Spokane over the Northern Pacific. The slide at Nyack is 1,000 feet long and sixty feet deep. Railroad officials are contemplating tunneling this slide rather than removing it, as it is being added to constantly by other slides.

### The Shinshin Maru Lost.

Yokohama, March 10.—The Japanese ship Shinshin Maru has been wrecked off Chemulpo, Korea. Both ship and cargo were totally destroyed.

### The Illinois Leaves Guantanamo.

Washington, March 10.—The battleship Illinois, recently injured in a collision with the battleship Missouri, has left Guantanamo for New York, accompanied by the ocean-going tug Potomac and the collier Sterling. The remainder of the battleship squadron, the Kearsarge, Alabama, Missouri and Massachusetts also has left Guantanamo, its destination being Pensacola, Fla., to engage in target practice.

## Port Arthur Again Under Fire By Japanese Warships.

Bombarded the City Intermittently for Some Hours—Crews of Merchant Ships Captured by Japanese Warships, Some Four Hundred in All, Have Been Released—Russian Armored Cruiser Dmitri Donskoi Has Entered the Suez Canal.

Port Arthur, March 10.—The Japanese fleet appeared off this harbor at midnight and bombarded this city intermittently until 8 o'clock this morning.

Port Arthur, March 10.—A message from the signal station at 11 o'clock last night announced the appearance of a Japanese squadron on the horizon. Fifty minutes later the shore batteries opened fire on the Japanese vessels. A gale sprang up and the attacking fleet soon withdrew.

Nagasaki, March 10, Thursday.—The crews of the merchant vessels captured by Japanese warships since the war began have just been released, and in all four hundred Russians, Chinese and Germans have been turned over to various consuls to be sent back to their own countries. Forty of the officers taken at the same time still remain at Sasebo.

The coal cargo of the Norwegian steamer Hermes has been released. Some exception is being taken to the requirement to the prize court that the advocate for the defense in the case of a vessel and cargo seized shall be a Japanese citizen.

Cannes, Island of Crete, March 10.—A Russian transport from Port Said has arrived here. Members of her crew say that the Russian torpedo boat "No. 221" was lost while on her way to this port. The crew of the torpedo boat were rescued by the transport.

Suez, March 10.—The Russian armored cruiser Dmitri Donskoi has entered the canal, bound for the Mediterranean.

## SCHEME TO RECLAIM THE DRY FARM LANDS.

All the Details of Cost and Work Gone Over at a Notable Meeting of Interested Irrigators Today—Will Render Many Thousands of Acres Productive and Profitable.

There was an enthusiastic meeting this morning, in President Angus M. Cannon's office of the general committee appointed by the East Jordan meeting and a committee of dry farmers, and the result was satisfactory to all parties, and with the reasonable expectation that a large number of farms in the Salt Lake and Utah valleys which hitherto have not been able to depend on irrigation water, can be supplied from the reservoir system proposed by the general government.

There were present at the meeting, President E. F. Holmes of the Commercial club, State Engineer A. F. Doremus, City Engineer Kelsey, President Angus M. Cannon, Thomas R. Page, W. B. Emis, John C. Mackey, of the general committee; and among the dry farm representatives were Charles M. Nokes, John W. Sharp, F. McDonald, Nella Hansen, John Whedon, F. R. Lloyd, Albert Quest, J. F. Meek, John R. Stutz, G. W. Carlton, William Turner, Bishop Bennion, T. M. Herbert and Joseph Hutchins. There was also present Prof. Swendsen of the reclamation service.

Col. Holmes stated the object of the meeting, and State Engineer Doremus explained the disposition of the water which could be developed in excess of what was needed by the present existing canal companies, under the government project. He thought that if 750 second feet would pay all expenses of the scheme (250 second feet being the equivalent of the existing rights, paying no cost of improvement) the cost per acre would be about \$15. The price to be paid on the completion of the work would be \$1.50 each year for 10 years without interest.

Mr. Doremus said this \$15 per acre would only pay for the improvements on the Jordan river and Utah lake system. The digging of the higher land canals, and the installment of pump works, would be an additional expense, making the whole cost \$25 to \$30 per acre.

J. F. Meek said there were 10,000 acres of high land whose owners would be willing to pay \$20 per acre for water rights. Freeman R. Lloyd said he had the names of owners of about 20,000 acres who would be willing to pay \$25 and \$30, the estimates of Prof. Swendsen. This would be slightly increased now by the change of the equivalent of existing rights from 200 second feet to 250 second feet. The owners of all lands under the 200 ft. level on the west side would be perfectly willing to pay \$20 per acre, if necessary.

President Cannon thought that elevation, or height, of pumping should not cut any figure if the owners were willing to pay extra cost of pump works. Prof. Swendsen stated that levels had been taken on the west side of the river, and that 5,825 acres had been found to lie at 50 ft., 11,000 acres at 100 ft., 18,000 acres at 150 ft., and 21,000 acres at 200 ft. elevations respectively.

Bishop Bennion thought it would be a waste of energy to pump water up to higher levels, where it could be applied on lands at a lower elevation. John C. Mackay thought that water should be disposed of to applicants irrespective of location or elevation. W. B. Emis stated that people on the east side of the Jordan river were as anxious to apply for water as those on the west side. John W. Sharp was unprepared to report regarding the east side, as they did not have their levels yet.

President Cannon stated that he estimated the existing canals would use 500 second feet for 25,000 acres, leaving 500 second feet sufficient to irrigate another 35,000 acres to be subdivided for this, 20,000 had been spoken for by the people on the west side; and he was satisfied 10,000 acres would be subdivided on the east side, both above the canals and under the 200-foot contour lines.

On Mr. Doremus' motion the meeting decided that petitions be received from associations of water users who could be filed with this committee. It is important that the people get their petitions in before the committee and through their respective associations. Adjourned subject to call.

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always unfortunate to bring old world antipathies and jealousies into our life, or by speech or conduct to excite anger and resentment toward our nation in friendly foreign lands, but in a government of people, whose official position makes him in some sense the representative of the people, the mischief of such action is greatly increased. A strong and self-confident nation should be particularly careful not only of the rights but of the susceptibilities of its neighbors, and nowadays all of the nations of the world are neighbors one to the other. Courtesy, moderation and self-restraint should mark international no less than private intercourse.

"All the officials of the government, civil, military and naval, are expected to carry themselves both in act and in deed, so as to give no cause of offense to the people of any foreign and friendly power—and with all mankind we are now in friendship.

(Signed),

THEODORE ROOSEVELT.

"White House, March 10, 1904."

### Orders to Fifth Cavalry.

Denver, Colo., March 10.—Two troops of the Fifth Cavalry, U. S. A., now at Fort Logan, have been ordered to leave the fort not later than March 20 and to proceed overland by way of Wingate to Fort Huachuca and Pacific. This order prescribes a march of more than 1,100 miles and over some rough mountainous country. The trip will require 50 days.

### Bunau Varilla Sails.

New York, March 10.—M. Philippe Bunau-Varilla, who recently resigned as minister from Panama to the United States, sailed for Havre today on the steamer La Lorraine. Captain Algeron Sartorius, grandson of General U. S. Grant, who goes abroad to marry Cecelia Nussland in Paris, also was on the steamer.

### SMITH WOOLLEY'S CASE.

It Came Near Causing a Commotion in the Senate.

Washington, March 10.—When the senate today reached the resolution introduced yesterday by Mr. Carnack, directing the secretary of the treasury to send to the senate the papers relating to the nomination of H. Smith Woolley, the "Mormon" bishop whose nomination to be superintendent of the assay office at Boise, Idaho, is pending before the senate, it looked for a few moments as if there would be an animated skirmish over the method of consideration, but the question was postponed for a day.

Mr. Allison moved that the resolution be referred to the committee on finance. Mr. Hoar raised the question of order that as the resolution pertains to a presidential nomination, it should be considered in executive session, and at the suggestion of Mr. Nelson that, owing to the fact that today had been set apart for Alaskan legislation, the consideration of the resolution was postponed.

Mr. Hoar gave notice that he would make, and Mr. Allison moved a second motion to consider the resolution in executive session when it comes up. The following bills were passed:

Concerning the payment of fees on public lands; authorizing the award of brevet commissions for gallant conduct on the part of army officers in China and the Philippines; increasing to \$100 per month the pensions of ex-soldiers and ex-sailors of the United States who have lost both eyes or become totally blind on account of their service. In connection with the pension bill, Mr. McCumber, chairman of the committee on pensions, stated that 600 cases were covered by the provisions of the bill and that the increased cost to the government would be \$100,000 annually.

### House Proceedings.

Washington, March 10.—When the house today the speaker announced the appointment of W. Bourke Cockran of New York as a member of the committee on ways and means. Mr. Finlay (S. C.) was then recognized and announced the death of his colleague, George William Croft. The usual resolutions of sympathy and regret were presented and adopted.

Mr. Overstreet (Ind.) secured unanimous consent for a continuation tomorrow of the order limiting debate on the report of the postoffice department involving representatives and senators until 4 o'clock.

As a further mark of respect the house at 12 o'clock adjourned.

### Mark Dunn, Murderer, Dying.

St. Joseph, Mo., March 10.—Mark Dunn, the murderer who escaped from the county jail here Monday, after locking up his guard, the jailer and a deputy sheriff and who was recaptured last night at Guilford and brought back to St. Joseph, Mo., is now at the point of death from pneumonia. He will be hanged tomorrow morning at the time originally set for his execution.

### Russian Commanders Decorated.

St. Petersburg, March 10.—The commanders of the Russian warships Varag and Koreita have had conferred upon them the decoration of the military order of St. George of the fourth-class on account of their heroic conduct in the engagement with the Japanese at Chemulpo. The other officers and crews of the vessels have been given minor decorations, including crosses of the order of St. George.

### Vienna University Closed.

Vienna, March 10.—The university here has been closed in consequence of threats among the students. The German students were much incensed at the demonstrations of the Czechs against their German comrades at Prague, Bohemia.

### Obstructionists Give Up Fight.

Buda Pest, Hungary, March 10.—The obstructionist members of the Hungarian diet have given up their fight and the business of parliament will be permitted to proceed.

### Rep. G. W. Croft Dead.

Washington, March 10.—Representative George W. Croft of Alaska, S. C., died at his home in this city today of blood poisoning, resulting from an injury caused by a splinter in his thumb. Mr. Croft was 57 years of age. He was a Democrat and serving his first term.

### Grand Duke of Oldenburg Arrives.

New York, March 10.—Among the passengers who arrived today on board the steamer Koening, Luis from Genoa, Naples and Gibraltar were the Grand Duke of Oldenburg, who is on the passenger list as Count Lemsha and Max. Contag, an architect sent by the German government to the St. Louis exposition.

## JAPANESE STILL HAMMERING AWAY

Their Fleet Makes a Fresh Attack Upon Russia's Stronghold, Port Arthur.

### DAMAGE DONE NOT KNOWN.

Reported Japs Have Entered Manchuria and Have Reached Feng Huen Cheng.

### IT MEANS BIG BATTLE VERY SOON

Vice-Admiral Kimmura Believes Bombardment of Vladivostok Demoralized the Enemy.

St. Petersburg, March 10, 4:45 p. m.—The only piece of important news up to this hour today from the seat of war was the Associated Press dispatch from Port Arthur announcing a fresh attack on that place by the Japanese fleet. The dispatch contained no details. Another telegram to the Associated Press from Vladivostok has been received. It makes no mention of fighting, and it is assumed that all is quiet there. The reports that the Japanese have entered Manchuria west of the Yalu river and have reached Feng Huen Cheng, on the Pekin road, which is the Russian line of communication to the Yalu, cannot be confirmed. If the information proves true a land engagement of some magnitude cannot long be delayed, as the Russians have a heavy force south of the line, between Liang and Mukden, and they are also occupying strong positions along the Yalu. A Japanese column between them would be in a desperate strait unless it moved by the flank to take the Russians on the Yalu in the rear and was energetically supported by a forward Japanese movement from Korea.

### ATTACK ON VLADIVOSTOK.

Tokio, March 10.—Vice Admiral Kimmura, reporting the bombardment of Vladivostok on March 6, says the attack commenced at 10 minutes to 2 in the afternoon, and the firing was kept up about 40 minutes. He believes the bombardment was effective and demoralizing to the enemy. The Russian forts did not reply to the Japanese fire.

Japanese cruisers subsequently reconnoitered several adjacent places on the coast, but found no trace of the enemy.

The full report of Vice Admiral Kimmura, who commands the second Japanese squadron, says:

"As previously stated, we reached the east entrance to Vladivostok on the morning of March 6, through a frozen sea. The enemy's ships were not seen outside the harbor. We approached the batteries on the northern shore from a point beyond the range of the batteries on the Balzen promontory and Bosphorus strait. After bombarding the inner harbor 40 minutes, from 1:30 o'clock in the afternoon, we retired. I believe the bombardment effected considerable damage. Soldiers were seen, but the land batteries did not reply to our fire. Black smoke was observed at the east entrance to the harbor about 5 o'clock p. m., and was thought to be from the enemy's ships, but this smoke gradually disappeared.

"On the morning of March 7th we reconnoitered America Bay and Struck Bay, but saw nothing unusual. We approached the east entrance to Vladivostok at noon. The enemy's ships were invisible and the batteries did not fire. We turned toward Posiet Bay but not seeing the enemy, retired."

### CHINA MUST LOOK OUT.

Paris, March 10.—It is officially confirmed that the Russian minister at Peking has made a formal protest to the Chinese government concerning the activity of Chinese troops along the Manchurian frontier with a pointed intimation of the defensive measures Russia may be compelled to adopt. The substance of the representations follows:

Russia has taken cognizance of the presence of considerable forces of Chinese troops along the frontier. For the present, it is recognized that these forces are independent of the direct authority and control of the imperial government, which therefore, is not responsible for their presence. But the fact of their presence is called to the attention of the imperial government, and should their continuance on the frontier lead to depredations and acts of lawlessness, Russia will take measures necessary to safeguard her interests.

The foregoing is not the literal text but is the purport of the terms of the representations.

The Chinese troops referred to are those of Gen. Ma and Gen. Yuan Shi Kai, the commander-in-chief. The latter is the viceroy of Chi Li province and his troops were organized by the late Li Hung Chang. Therefore they are subject to provincial instead of imperial control.

It is understood here that Viceroy Alexieff will be entrusted with formulating remedial measures if the depredations spread to the extent of endangering Russian interests.

### Uruguayan President Dead.

Montevideo, Uruguay, March 10.—Senator Alvarez, vice president of Uruguay, is dead.

### Chamberlain's Health Excellent.

London, March 10.—Joseph Chamberlain is at present on a trip up the Nile. It is, therefore, impossible to accurately state the condition of his health, but the last advice from him said that he was in excellent health and that his rumors in the house of commons yesterday that he was suffering from softening of the brain would appear to be unfounded.

Austen Chamberlain, the chancellor of the exchequer, authorizes the statement that there is absolutely no foundation for the report that his father is mentally affected.